



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DARRYL C. CARTER,

Plaintiff,

- against -

KEECHANT L. SEWELL, et al,

Defendants.  
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23-CV-1139 (JLR) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

This order resolves the City (Dkt. 68) and State's (Dkt. 72) requests concerning intended motions to dismiss the amended complaint. The requested alternative relief is granted. Defendants may proceed with moving to dismiss the amended complaint. The briefing shall be consolidated with Defendants responses to Plaintiff's motions for a preliminary injunction and other temporary relief. Defendants shall file their motions by **November 20, 2023**. Plaintiff shall file any response (opposition to motions to dismiss, and reply in support of motion for preliminary injunction or other temporary relief) by **December 20, 2023**. Defendants shall file any reply by **January 15, 2023**.

In light of the foregoing, the motions to dismiss the original complaint at Dkts. 60 and 63 are terminated as moot.

The Clerk of Court is respectfully directed to terminate the motions at Dkts. 60, 63, 68, and 72.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal flourish extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: October 18, 2023  
New York, New York

Copies transmitted this date to all counsel of record. The Clerk's Office is respectfully directed to mail a copy of this Order to Plaintiff pro se and note service on the docket:

Darryl Chadwich Carter  
1734 Webster Avenue  
Bronx, NY 10457